

REMARKS/ARGUMENTS

Applicant has amended the claim language of claim 1 to clarify the claim language and correct typographical errors. Applicant also has canceled claims 3-20. Applicant has added new claims 21-38, support for which may be found in the specification, particularly examples 1, 2, 3 and 17.

Claims 1, 2 and 21-38 are pending in the present application as amended.

The Examiner alleged that the application as submitted contains claims directed to the following patentably distinct species:

Species A: method of using a purified protein product produced by the method of claim 3;

Species B: method of using a purified protein product produced by the method of claim 12.

The Examiner alleged that the species are independent or distinct because each of the methods utilize distinct protein products comprising proteins having distinct primary structures. For example, the protein product of claims 3 and 9 has a 73 kDa protein comprising SEQ ID NOS: 1, 5, and 6, whereas the protein product of claims 12 and 18 has 73 kDa protein comprising SEQ ID NOS: 12, 13, 14.

The Examiner required Applicant to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. The Examiner found that claims 1 and 2 are generic.

Since Applicant has canceled claims 3-20, and the new claims render the Examiner's restriction requirement moot, Applicant respectfully requests that the Examiner withdraw the requirement.

Conclusion

Applicant earnestly solicits early and favorable action by the Examiner. If the Examiner believes that issues may be resolved by a telephone interview, the Examiner is respectfully urged to telephone the undersigned at (973) 597-6170. The undersigned also may be contacted via e-mail at blubit@lowenstein.com.

AUTHORIZATION

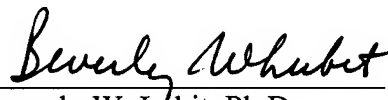
The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 501,358.

Respectfully submitted,

Lowenstein Sandler PC

By:

Date: May 1, 2006


Beverly W. Lubit, Ph.D.
Attorney for Applicant
Registration No.47,759

DOCKET ADMINISTRATOR
LOWENSTEIN SANDLER PC
65 Livingston Avenue
Roseland, NJ 07068